

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 -----x

4 UNITED STATES OF AMERICA,

5 v.

21 CR 443 (AKH)

6 LUKA KLASINC,

7 Defendant.

Hearing

8 -----x
9
10 New York, N.Y.
11 November 10, 2021
12 10:40 a.m.

13 Before:

14 HON. ALVIN K. HELLERSTEIN,

15 District Judge

16 APPEARANCES

17 DAMIAN WILLIAMS
18 United States Attorney for the
19 Southern District of New York
20 BY: ASHLEY C. NICOLAS
21 Assistant United States Attorney

22 JEFFREY LICHTMAN
23 JASON GOLDMAN
24 Attorneys for Defendant

25 Also Present:
26 Laua Gialanella, U.S. Pretrial Services

1 THE COURT: We are here for United States v. Luka
2 Klasinc, 21 CR 443.

3 Ashley Nicolas for the government.

4 MS. NICOLAS: Yes, your Honor.

5 THE COURT: Laura Gialanella for the pretrial
6 services. Good morning.

7 MS. GIALANELLA: Yes, Judge. Good morning.

8 THE COURT: Jason Goldman for the defendant.

9 MR. GOLDMAN: Good morning, your Honor.

10 THE COURT: And Jeffrey Lichtman.

11 MR. LICHTMAN: Good morning, your Honor.

12 THE COURT: Mr. Klasinc is here.

13 THE DEFENDANT: Good morning.

14 THE COURT: Ms. Nicolas.

15 MS. NICOLAS: Yes, your Honor.

16 THE COURT: You can sit. I can hear you better when
17 you are sitting. Speak into the microphone.

18 MS. NICOLAS: Yes, your Honor.

19 I believe we are here today for an update on the steps
20 that have been taken to confirm the status of Mr. Knox's home
21 in Illinois.

22 I understand pretrial services has done an inspection
23 of the apartment that would be the proposed residence for the
24 defendant in the Bronx, and I believe there has as been an
25 interview of Mr. Knox and some confirmation of the status of

1 the home that Ms. Gialanella can provide.

2 THE COURT: What equity is there at the home that's
3 being put up as security in Illinois?

4 MS. GIALANELLA: Mr. Knox purchased the home for
5 \$576,000.

6 THE COURT: Pull that closer to you. Pull the mic
7 closer to you.

8 MS. GIALANELLA: Can you hear me better?

9 THE COURT: I can.

10 MS. GIALANELLA: Mr. Knox bought the home this year
11 for \$576,000. There are no liens and no mortgages, so it was
12 paid in full, and he said he has put in \$60,000 in upgrades.

13 THE COURT: \$576,000 was the purchase price?

14 MS. GIALANELLA: Yes.

15 THE COURT: Do you know when it was purchased?

16 MS. GIALANELLA: In 2021. I don't know the month. It
17 was purchased this year.

18 THE COURT: Where is he going to live?

19 MS. GIALANELLA: He will be living on Bruckner
20 Boulevard in the Bronx, 101 Bruckner Boulevard, apartment 3F,
21 Bronx, New York.

22 THE COURT: Who is going to be in charge of him?

23 MS. GIALANELLA: He would be living alone.

24 THE COURT: So he is going to have to be allowed to
25 shop.

1 MS. GIALANELLA: Yes. He would be allowed to shop as
2 long as he provides receipts.

3 THE COURT: As long as he can what?

4 MS. GIALANELLA: Provide receipts from the grocery
5 store, wherever he goes. He can go to appointments, meet with
6 his attorney from the court.

7 THE COURT: Are you satisfied with these procedures?

8 MS. GIALANELLA: Yes, Judge.

9 THE COURT: The government have any objection to my
10 releasing Mr. Klasinc on bail?

11 MS. NICOLAS: Your Honor, I think the government's
12 position remains unchanged. There is such a significant flight
13 risk in this situation, for all the reasons in our papers and
14 that we have offered at previous hearings, but we do
15 acknowledge these are fairly significant steps. But our
16 position remains unchanged.

17 THE COURT: If we were able to give Mr. Klasinc a
18 trial very quickly, it would be more justified to have him
19 detained. But given the time that will remain before he is
20 tried, I think it becomes cruel to keep him in jail.

21 Are you satisfied with all the restrictions, Ms.
22 Gialanella?

23 MS. GIALANELLA: Yes. He would be placed on location
24 monitoring, I understand.

25 THE COURT: Mr. Klasinc, in honor of my feelings or

1 faith in the responsibility and dignity and respect each
2 individual has coming before me, for that reason, I am going to
3 end your detention and allow you to be on bail. But I do that
4 because I've judged your character and I find it to be a good
5 character. I feel, but I'd like you to say to me, that you
6 will be in court whenever required.

7 THE DEFENDANT: I can speak? Sorry about that. It's
8 the first time in the court.

9 THE COURT: Pull the microphone closer to you.

10 THE DEFENDANT: Yes, definitely, your Honor.

11 On the first bail hearing that we had, I had 27 years
12 of my marriage -- yes, I am going to be for sure.

13 THE COURT: And refrain from anything that will be a
14 criminal activity.

15 THE DEFENDANT: Yes, definitely.

16 THE COURT: What are the terms? You have an order?

17 MS. NICOLAS: We do not have an order, but we can
18 prepare one. If we are going to adopt the terms that the
19 defense counsel has proposed, we will prepare an order.

20 THE COURT: Will you, please.

21 Can we release Mr. Klasinc now?

22 MS. NICOLAS: Your Honor, the government would ask
23 that he be held until the location monitoring can be satisfied,
24 as well as the apartment is prepared for him to move in. I am
25 not sure what the state of the apartment is at that time. At

1 the government's request --

2 THE COURT: Would you provide that in your order.

3 MS. NICOLAS: Yes, your Honor.

4 THE COURT: Mr. Lichtman, anything that you want to
5 add?

6 MR. LICHTMAN: No, Judge. I think we have hit it all
7 last time. Now, once the order is ready, we will have the
8 apartment ready for location monitoring and Mr. Klasinc to
9 arrive there.

10 THE COURT: I think the government wants you to do
11 that before we issue the order.

12 MR. LICHTMAN: We can do that, Judge. I think he has
13 to be fitted with the bracelet, I suppose, here.

14 THE COURT: What should Mr. Lichtman do?

15 MS. GIALANELLA: We can do either way. We can go to
16 his house to fit him with it.

17 THE COURT: Could he come to you?

18 MS. GIALANELLA: Ideally, he could come to the office,
19 yes.

20 THE COURT: Marshal, can Mr. Lichtman be in charge to
21 bring Mr. Klasinc to wherever he is needed?

22 THE MARSHAL: Yes, your Honor.

23 THE COURT: You are in charge, Mr. Lichtman.

24 MR. LICHTMAN: Yes, your Honor.

25 THE COURT: You will be in charge until he goes to his

1 home.

2 MR. LICHTMAN: That's fine, Judge. If I can delegate
3 it to my associate, I would appreciate that.

4 THE COURT: Yes, you can. Your associate,
5 Mr. Goldman?

6 MR. LICHTMAN: Yes.

7 THE COURT: Done.

8 How soon can you give me an order, Ms. Nicolas?

9 MS. NICOLAS: I will return to my office immediately
10 to do it, your Honor.

11 THE COURT: Excellent. Then we are finished.

12 Do we have another date for this case?

13 MS. NICOLAS: We do, your Honor. I believe the date
14 is in mid December.

15 THE COURT: We don't have to make any motions
16 excluding time.

17 MS. NICOLAS: No, your Honor. Time is already
18 excluded.

19 THE COURT: Thank you all.

20 Thank you, Mr. Klasinc. Don't disappoint me.

21 (Adjourned)

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